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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,238	04/10/2006	Nercivan Mahmudovska	9342-98	9239

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MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/539,238	Applicant(s) MAHMUDOVSKA ET AL.	
	Examiner Jakieda R. Jackson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/16/05 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed June 16, 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but some of the information referred to therein has not been considered.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Europe on 12/16/02 and 5/22/03 and in the USA on 5/29/03. It is noted, however, that applicant has not filed a certified copy of the applications as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-37** are rejected under 35 U.S.C. 102(b) as being anticipated by Freeland et al. (WO 01/57851 A1), hereinafter referenced as Freeland.

Regarding **claim 1**, Freeland discloses an apparatus comprising:

a display configured to display various readable data (displays all ; column 21, lines 1-2); and

a control unit configured to extract at least a part of the displayed data and configured to send the extracted part of the displayed data to a speech generating device that is configured to generate speech from the extracted part of the displayed data (displays all of the supported words; column 21, lines 1-2),

wherein the speech generating device is attachable to the apparatus (column 19, lines 22-26).

Regarding **claims 2 and 21**, Freeland discloses an apparatus wherein the control unit is configured to automatically send said extracted part of the displayed data to the speech generating device at a fixed and/or controllable rate (automatically download with regular intervals; column 42, lines 12-16 and column 49, lines 20-24).

Regarding **claims 3 and 22**, Freeland discloses an apparatus wherein the control unit is to send said extracted part of the displayed data to the speech generating device based on scrolling in the display (scroll bars; column 34, lines 24-25).

Regarding **claims 4 and 23**, Freeland discloses an apparatus wherein displayed data includes text from menus, text messages (text messages; column 31, lines 26-31

with column 46, lines 27-30), help information, calendars and/or confirmation of actions taken with the apparatus (menu; column 27, lines 14-20).

Regarding **claims 5 and 24**, Freeland discloses an apparatus wherein the control unit is configured to send said extracted part of the displayed data to the speech generating device based on inputting characters to the apparatus (character; column 20, lines 30-31 with column 31, lines 26-35).

Regarding **claims 6 and 25**, Freeland discloses an apparatus wherein the control unit is configured to send the displayed data responsive to input of definite characters including letters, signs, spaces and/or punctuation (inherent in textual input; column 37, lines 4-8).

Regarding **claims 7 and 26**, Freeland discloses an apparatus wherein the control unit is configured to extract the displayed data from a selected file and automatically send the displayed data to the speech generating device at a fixed and/or controllable rate (automatically download with regular intervals; column 42, lines 12-16 and column 49, lines 20-24 with column 25, lines 25-28).

Regarding **claims 8 and 27**, Freeland discloses an device for generating speech, comprising:

a microcontroller (figure 12, element 75) configured to be connected to an apparatus and configured to receive data from said apparatus to be converted to speech (text to audio; column 17, lines 23-26 with column 19, lines 9-14); and

a conversion circuit coupled to the microcontroller configured to be connected to a speaker system (speaker's column 17, lines 16-24),

wherein the conversion circuit is configured to receive the data from the microcontroller and convert the data to a speech signal (column 17, lines 16-26 with column 19, lines 9-14).

Regarding **claims 9 and 28**, Freeland discloses a device wherein the data is received as ASCII characters (standard English, such as Americanised English; column 22, lines 22-24 with column 28, lines 6-10).

Regarding **claims 10 and 29**, Freeland discloses a device wherein the conversion circuit is configured to support various selectable languages (other languages can be used; column 22, lines 22-24).

Regarding **claims 11 and 30**, Freeland discloses a device wherein the conversion circuit is configured to download languages via the connected apparatus (upload; column 24, lines 5-18 with column 17, lines 8-12).

Regarding **claims 12 and 31**, Freeland discloses a device wherein the conversion circuit is configured to support various selectable voices (spoken voices; column 22, lines 22-29).

Regarding **claims 13 and 32**, Freeland discloses a device wherein the conversion circuit is configured to download voices via the connected apparatus (downloading voices; column 40, lines 27-33).

Regarding **claims 14 and 33**, Freeland discloses a device wherein the speech of the speech signal is adjustable (adjust the speed; column 27, lines 22-28).

Regarding **claims 15 and 34**, Freeland discloses a device wherein the microcontroller is configured to be connected to a memory device containing language

information including various languages, abbreviation list and/or dictionaries (dictionary-based; column 20, lines 20-23).

Regarding **claims 16 and 35**, Freeland discloses a device wherein the microcontroller is configured to be connected to a memory device containing voice settings (voice samples; column 22, lines 22-29 with style of message; column 32, lines 1-20).

Regarding **claim 17**, Freeland discloses a device wherein the microcontroller is configured to be connected to the apparatus via a system connector having an interface for audio signals (column 22, lines 5-14 with column 28, lines 19-34), serial channels, power leads and/or analog and digital grounds leads.

Regarding **claim 18**, Freeland discloses a device wherein the device includes a functional cover, comprising a shell covering a front of the apparatus and a microprocessor cooperating with a processor of the apparatus (inherent in a mobile terminal; (press the send button) column 32, lines 5-20).

Regarding **claims 19 and 36**, Freeland discloses a device wherein the apparatus comprises a portable telephone (mobile telephone terminal; column 31, line 26 – column 32, line 20), a pager, a communicator and/or an electronic organizer (column 33, lines 30-34 with column 34, lines 13-25).

Regarding **claims 20 and 37**, it is interpreted and rejected for the same reasons as set forth in the combination of claims 1 and 8.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571.272.7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
November 21, 2006


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER